

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ESTATE OF DOROTHY MARTIN,
MARY MARTIN,

Plaintiffs,

CIV. NO. S- 02-2334 DFL GGH

vs.

CALIFORNIA DEPARTMENT OF
VETERANS AFFAIRS, et al.,

Defendants.

ORDER

Defendants' application and stipulation for order shortening time in regard to their motion to quash civil subpoenas is before the court. The application will be granted and hearing scheduled for **August 18, 2005**. The parties are directed to E.D. Cal. L.R. 37-251 in regard to filing their joint statement, rather than the motion procedure set forth in Rule 78-230. No papers other than the joint statement shall be filed. Notwithstanding the three days specified by E.D. Cal. L.R. 37-251, the joint statement *shall be filed in no later than five court days before the scheduled hearing*. Notwithstanding E.D. Cal. L.R. 5-133(f), if the joint statement is more than 25 pages, or the attachments are longer than 50 pages, the copy shall be hand delivered or sent by overnight mail to chambers on the day of filing. The filing deadline, accordingly, will be **August 11, 2005**.

The dispute may be organized by category, with specific discovery items attached, if appropriate, as an exhibit. For each disputed category or individual item, include: (1) the

1 specific disputed discovery category or item; (2) the response; (3) the moving party's position;
2 and (4) the opposition. E.D.Cal. L.R. 37-251(c)(3). Do not file separate briefing. Id.

3 Privilege objections must comply with Fed. R. Civ. P. 26(b)(5). Except in
4 extraordinary circumstances, the party claiming privilege may not submit a post-hearing privilege
5 log. The failure properly to support a privilege objection with a privilege log may be deemed to
6 waive it.

7 The moving party is responsible for filing the joint statement. The opposing party
8 nevertheless must timely draft and submit its portion. Failure of either party to use best efforts to
9 ensure timely filing will be cause for sanctions.

10 Accordingly, IT IS ORDERED that:

11 1. Defendants' application for order shortening time, filed July 26, 2005, is
12 granted.

13 2. A joint stipulation shall be filed by August 11, 2005.

14 3. Defendants' motion to quash civil subpoenas will be heard on August 18,
15 2005, at 10:00 a.m. in courtroom #24.

16 DATED: 7/27/05

17 /s/ Gregory G. Hollows

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19 GREGORY G. HOLLOWS
20 U. S. MAGISTRATE JUDGE

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